

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Factories Act, 1948 – Prosecutions – Withdrawal of Cases filed against Managements of factories in the State for non-compliance of the provisions of the Act and Rules made there under – Orders – Issued.

---

LABOUR, EMPLOYMENT, TRAINING AND FACTORIES (LAB.II) DEPARTMENT

G.O.Rt.No.60

Dated.17.01.2011

Read the following

1. G.O.Rt.No.169, Energy (F&B) Department, dated.26.04.1995.
2. G.O.Rt.No.1673, Labour, Employment, Training and Factories (Lab.II) Department, dated.19.07.1995.
3. G.O.Rt.2733, Labour, Employment, Training and Factories (Lab.II) Department, dated.27.11.1995.
4. From the Director of Factories, Andhra Pradesh, Hyderabad, Lr.No.B1/Misc/2010, datedd.30.10.2010.

-- o0o --

ORDER:

The Director of Factories in the letter 4<sup>th</sup> read above, has reported that the cases are being filed in the concerned Courts against the Managements of Factories for violations of the provisions of the Factories Act, 1948 and rules made there under. Representations are received from some of the Managements for withdrawal of the cases filed against them. The Director of Factories has informed that the Factories Act, 1948 do not have any specific provisions for withdrawal of cases filed under the said Act. However, withdrawal of prosecutions are permitted under Section 257 of the Criminal Procedure Code in case of summons cases and under Section 321 Criminal Procedure Code in case of warrant cases. Such representations were earlier considered by a Review Committee constituted in the G.O. first read above and which was subsequently abolished in the G.O. third read above.

2. The Government have reviewed the existing procedure and decided to consider themselves the prosecution of the Managements of Factories who violates the provisions of the Factories Act, 1948 and withdrawal of cases filed against them. The Government hereby direct the Director of Factories to send the prosecution proposals against Managements for violations of provisions of the Factories Act, 1948 and rules made there under relating to fatal accidents and representations received from the Managements of Factories for withdrawal of prosecution cases along with his remarks for taking further action at the Government level.

3. The Director of Factories is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.SREENIVASULU  
SECRETARY TO GOVERNMENT

To

The Director of Factories, Andhra Pradesh, Hyderabad.

Copy to:

The OSD to M(LET&F & ITIs).

The P S to the Secretary LET&F Department

The P A to the Joint Secretary LET&F Department.

The Law(B) Department.

Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER